

CRIMES AGAINST PROPERTY



Basic Recruit Training

Resource Documents,
Worksheets

HOUR ONE

STUDENT PERFORMANCE OBJECTIVES:

By the end of this hour of instruction the learner will be able to:

1. Identify proper methods of describing missing/recovered property. (CI2501)
2. Identify methods of establishing value of stolen and recovered property. (CI1101)
3. Identify proper procedures for tracing stolen goods. (CI2500)
4. Identify means to locate the owner of lost property. (OM2204)
5. Identify proper procedures to conduct investigation for:
 - Burglary (CO20)
 - Receiving stolen property (CO105)
 - Felony theft (CO120)
 - Misdemeanor theft (CO121)
 - Trespassing (CO125)
 - Retail Theft

PROPER METHOD OF DESCRIBING PROPERTY

- The goal of accurate description of property is to return property to the owner.
- Accurate description means a complete and precise accounting of the characteristics of the property in question.
- An accurate description will impart to the reader a clear picture of the property and will stand challenges of identification to stolen property and property recovered.
- **Record all of the descriptive information in reports.**
- The following format ensures a complete and accurate description of items.

FILL IN THE BLANKS....

1. The _____ of article (e.g., watch, tire, coat, etc.)
2. The _____ it is made of (e.g., plastic, fur, metal, etc.)
3. _____, make, model
4. Serial number and/or other _____

NOTE: Operation Identification [www.opid.org]: a nationwide program to reduce theft by engraving property with the owner's driver's license number followed by the state issuing the license.

5. Size, shape, color, patterns, measurements, _____
 6. Identifying _____ (e.g., owner applied numbers, dents, scratches, damage, etc.)
 7. Age and _____, new or used
- If the property consists of numerous items, an itemized list should be used with a _____. This facilitates references to a specific item.
 - If there is more than one of the same article, the quantity should be written _____ in _____, followed by the kind of article. (e.g., (3) watches)
 - It is necessary to question the victim in order to get as _____ a description as possible
 - Ask the victim if they have receipts or _____ of the property: Use to describe property accurately. Do not inventory.

DETAILED DESCRIPTIONS OF COMMONLY STOLEN ITEMS

Jewelry

Novelty Jewelry: Figures, charms, scatter pins, bracelets, necklaces, rings, etc.

- Of little value, and set with imitation stones of various colors
- Not made of precious metals

Costume Jewelry - Same as novelty jewelry, except material and workmanship are better and value is somewhat greater

Fine Jewelry - Usually made of precious metals and precious or semi-precious gemstone:

- Bracelets: Expansion, Link, Bangle
How mounted? Distance between sets? Number of sets?
Kind and color of sets?
- Clips: Tie clips, Hair clips
- Cuff Links: cuff buttons, Studs
- Earrings: Clip, Screw, Pierced, Teardrop, Hoop, Dangle, Petal, Button
- Lavalieres (On necklaces)
- Lockets: On chain, fob, pin, or bracelet
- Necklaces: Chain (length and design of chain), Snake, Lariat, Choker
- Rings: Parts: Shank, mounting, set and Size
Engraving, trademark and carat designation, scratch marks
Men's, women's baby's
Emblem (lodge, fraternity, class, school), Signet (initials)
Wedding rings/bands (width)

Mountings: Belcher (8 to 12 prongs, deeply scalloped), Bezel, Gypsy, Tiffany, Claw, Basket

- Stones, adornments: Diamonds (color, carat, clarity, facets) Cuts (round, emerald, marquise, brilliant, Swiss, single, cabochon, rose, pendeloque, zircon, briolette, step, trap, scissors, cross, kite, lozenge, triangle and obus), Birth stones, Cameos (carved, raised figure, usually a head), Intaglios (figure carved into a stone)

Clothing

- **Suits**

Tailored (plain, without decoration)

Size

Color

Type of fabric

Labels (Manufacturer or retailer)

- **Coats**

Suit coat / Overcoat / Sport coat

Single or double breasted

Number of buttons, Type of lapels

Pockets (patch, inset, with or without flaps, inside, in seam)

Lining (Full, half, quarter) color and material

Back (vented, straight, tapered)

- **Shirts/blouses**

Size, sleeve length

Sport, dress, work, Western

Collar (button down, collarless)

Cuffs (Regular, French)

Pockets (Location, number, flaps)

Ornamentation

- **Jackets**

Collar (knitted, fur, pile, hooded)

Style (Double breasted, car coat, baseball, waist-length, pullover)

Material, Buttoned, zippered, Lined (Removable, permanent)

Furs (dyed or natural, number of pelts, monogram)

Length, Fasteners (Frogs, hook and eye, buttons, snaps), Cuffs

- **Trousers/Slacks/Pants**

Fly front

Pleats (single, double)

Zippers, buttons

Cuff hem or plain

Waistband type

Pockets (type, locations)

- **Dresses**

Shirtwaist, empire

Evening gown

Cocktail

- **Skirts**
Length
Fit (flared, full, tailored)
Slitted
Pockets
Panels
Pleats
- **Handbags/Wallets**
Leather (suede, patent, sealskin, ostrich, calfskin, cowhide, reptile), Imitation leather
Shoulder bag, Backpack
Closure (zipper, snap, flap)
Wallets (tri-fold, bi-fold, zippered, coin purse, key ring, credit card slots, photo slots)

Electronics

- **Televisions**
Type (LCD, plasma, projection), Screen size
Case, cabinet
Portable, console, table
Color
Control knobs
Ports
- **Radios/Stereos/Game Consoles**
Bands
Color
Ports
- **Cell Phones/Smart Phones**
Service provider
Type/manufacture
Color
Accessories

Luggage

Train case, Upright, Expandable, Spinner, Carry-on, Duffel, Day/Back Pack, Laptop Carrier, Tote Foot locker, Antique (Steamer, Wardrobe trunk)
Wheeled, Handled
Color, Material (eg. Leather, lightweight), Brand name

Firearms

Make, caliber, serial number (proof marks, parts numbers)
Finish (color)
Grips (material, color)
Barrel length
Loaded, Ammunition type
Registrations

RECOVERED PROPERTY

- Treat recovered property as evidence
- _____ of property involved in a crime does not clear the crime

PROPER METHOD OF ESTABLISHING PROPERTY VALUE

- Use a _____ rationale to determine the value.
- Ask _____.
- Obtain the _____.
- Determine the age and _____ of the property.
- Make a _____ judgment based on information gathered.

NOTE: Legal information regarding "Value as an element of the offense-resolution of dispute": *"When a charge of theft of property exceeding a specified value is brought, the **trier of fact** will resolve as either exceeding or not exceeding the specified value."* 720 ILCS 5/16-1(c)

Definition of *Trier of Fact* - Judge or jury responsible for deciding factual issues in a trial. If an arrest is made and goes to trial a legal rule exists that a judge or jury will decide the value of the property. It is an element that will have to be resolved and proven in court.

CHICAGO SPECIFIC INFORMATION:

According to the CPD Field Reporting Manual, Item VI-O, *Lost, Stolen and Recovered Property*:

1. Use the fair market value for articles which are subject to depreciation due to wear and tear, age or other factors causing the value to decrease with use.
2. Use the dealer's cost or the cost to the merchant for goods stolen from retail establishments, warehouses, etc. The dollar value should represent the actual cash loss to the victim without any markup or profit.
3. Use the victim's evaluation for items such as jewelry, which do not appreciably change in value with use or age.
4. Use common sense and good judgment in reporting the value of stolen items.

5. Do not report the value of the property if:

- It is a motor vehicle
- The property has been damaged by criminal attack. Describe the extent of damage in the narrative
- The property is a document, such as traveler's checks, personal checks, money orders, stock or bond certificates, etc. Describe the document and the amount entered therein in the narrative.

PROPER PROCEDURE FOR TRACING STOLEN GOODS

- Locate _____ on the property
- Check the stolen property _____ (Metro departments may or may not maintain files of their own)
- Conduct a thorough property search through _____ and _____
- Check pawn shops, second hand stores and _____.

MEANS OF LOCATING OWNER OF LOST PROPERTY

- Interview _____ of (or found with) stolen property to determine if s/he knows where or whom the property came from.
- Check property for _____
- Check LEADS, NCIC and department stolen property file

PROPER PROCEDURES TO CONDUCT INVESTIGATION FOR RECEIVING STOLEN PROPERTY

- Use preliminary investigation to ascertain _____ (M.O.)
- Arrange, if possible, _____ by informant or undercover officer of marked goods represented as stolen (a "Sting").
- Obtain _____ with all pertinent details relative to investigation
- Seize property as _____

- Marked goods
- Trace other seized goods

BURGLARY

REVIEW: ELEMENTS OF THE OFFENSE OF BURGLARY

Burglary: 720 ILCS 5/19-1

- Knowingly
- and
- without authority
 - enters
 - or
 - remains within a:
 - building, house trailer, water craft, aircraft, motor vehicle, railroad car, or any part thereof
- with the intent to commit a felony or theft.

Residential Burglary: 720 ILCS 5/19-3

- Knowingly
- and
- without authority
- enters
- the dwelling place of another
- with the intent to commit
 - a felony
 - or
 - theft.

PROPER PROCEDURES TO CONDUCT INVESTIGATION FOR BURGLARY

STATE REQUIRED INFORMATION:

1. Determine the _____
2. Determine the method used to _____
3. Determine the _____
4. Take witness/victim _____

5. Note items _____, describing them as completely and accurately as possible
6. Note items _____ / _____ (apparent behavior while in building - e.g. destructive vs. meticulous)
7. Note _____ or _____ consumed or removed
8. Note items _____ by offender
9. Establish Method of Operation (M.O., Modus Operandi): Most burglars _____ patterns and methods:
 - o use the same points of _____
 - o steal the same type of _____ (electronics, jewelry, etc.)
 - o repeat the same _____ while at the crime scene (Eat food, destroy certain items, etc.)
10. _____ crime scene/call for Evidence Technician
11. _____ and collect physical evidence:
 - o Tool marks
 - o Fingerprints
 - o Footprints

Theory of Transfer:

The expectation that the offender has left something at the crime scene (fingerprints, footprints, hair, saliva, fibers, stains, a physical description, etc.) and that the offender has taken something away from the crime scene (dust, dirt, broken glass, items stolen, etc.)

12. Ensure stolen property description is entered in stolen property file. _____ stolen items into LEADS using _____, such as serial numbers.
13. _____ information leading to the _____:
 - _____ victims/witnesses
 - Physical evidence such as _____, blood etc. (officers should obtain complete descriptions of articles of value which were stolen, and also list relatively valueless stolen articles; articles of little value may provide the only evidence connecting the suspect to the crime)
 - Contact _____
 - Check _____, _____, recycling centers

- _____ M.O. to other burglaries

CHICAGO SPECIFIC INFORMATION:

- When the Burglary involves the following conditions, refer to Special Order S04-21-01 Item III, *Preliminary Investigations: Required Immediate Notifications*, and immediately notify the appropriate Property Crimes Office of the Detective Division:

Common motives for Burglary:

1. Drug Addiction
2. Money

Study completed by North Carolina University May 2013: interviewed 422 men and women incarcerated for burglary:

"Respondents indicated their top reasons for committing burglaries were related to the need to acquire drugs (51 percent) or money (37 percent), which was often used to support drug habits. Only one burglar indicated interest in stealing firearms, which is a common misperception."

Source: <http://publicrelations.uncc.edu/news-events/news-releases/study-provides-insights-habits-and-motivations-burglars>

TRESSPASSING

REVIEW: ELEMENTS OF THE OFFENSE OF CRIMINAL TRESPASS TO REAL PROPERTY

Criminal Trespass to Real Property 720 ILCS 5/21-3

- **Knowingly**
- **and**
- **without lawful authority**
- **enters**
- **or**
- **remains**
 - **within**
 - **or**
 - **on**
- **a building**

OR

- **enters upon the land of another**
- **after receiving prior to such entry from the owner or occupant,**
- **notice that such entry is forbidden**

OR

- **remains upon the land of another**
- **after receiving notice from the owner or occupant**
- **to depart**

OR

- **presents false documents**
- or
- **falsely represents his or her identity orally**
- **to the owner or occupant of a building or land**
- **in order to obtain permission from the owner or occupant**
- **to enter or remain in the building or on the land**

OR

- **intentionally removes a notice posted on residential real estate as required by subsection (l) of Section 15-1505.8 of Article XV of the Code of Civil Procedure before the date and time set forth in the notice**

OR

- **enters**
 - **a field used or capable of being used**
 - **for growing crops,**
 - **an enclosed area containing livestock,**
 - **an agricultural building containing livestock,**
 - **or an orchard**
 - **in or on a motor vehicle (including an off-road vehicle, motorcycle, moped, or any other powered two-wheel vehicle)**
- **after receiving,**
 - **prior to the entry,**
- **notice from the owner or occupant**
- **that the entry is forbidden**

OR

- **remains** upon or in the area
- **after receiving notice** to depart
- from the **owner**.

Exceptions:

1. Emergencies
2. A building which is open to the public during its normal hours of operation
3. The person reasonably believes that the building is still open to the public
4. Any person living on the land with the permission of the owner or his agent (including migrant workers and their visitors)
5. Any person beautifying unoccupied, abandoned residential and industrial properties.

THE DEFINITION OF "NOTICE" AS IT PERTAINS TO THIS SECTION:

"A person has received notice from the owner or occupant if: The person has been notified personally (either orally, in writing or by a valid court order or if a printed or written notice) forbidding such entry has been conspicuously posted at the main entrance of the land or the forbidden part thereof." 720 ILCS 5/21-3(a)

REVIEW: ELEMENTS OF THE OFFENSE OF CRIMINAL TRESPASS TO A RESIDENCE

Criminal Trespass to a Residence 720 ILCS 5/19-4

- **Without authority**
- **Knowingly**
 - **Enters**
 - **Or**
 - **Remains within**
- **Any residence, including a house trailer**

OR

- **Without authority**
 - **Enters**
 - **Or**
 - **Remains within**
- **the Residence of another**
 - **Knowing**
 - **Or**
 - **Has reason to know**
- **One or more persons**
- **Is present**

OR

- **Knowingly**
- **Enters**
- **Residence of another**
- **After**
 - **Knowing**
 - **Or**
 - **Has reason to know**
- **One or more persons**
- **Is present**

OR

- **Knowingly**
- **Enters**
- **Residence of another**
- **AND**
- **remains in the residence**
- **after**
 - **Knowing**
 - **Or**
 - **Has reason to know**
- **One or more persons**
- **Is present**

PROPER PROCEDURES TO CONDUCT INVESTIGATION FOR CRIMINAL TRESPASS

STATE REQUIRED INFORMATION:

1. _____ the complainant
 - determine which _____ of trespass has occurred, if any
 - determine whether enforcement is necessary or appropriate
 - do any of the _____ apply?
 - was proper _____ given?
2. Identify the suspect
 - Obtain information from the complainant if suspect is not apprehended
 - Apprehend suspect

THEFT

REVIEW: ELEMENTS OF THE OFFENSE OF THEFT

Theft: 720 ILCS 5/16-1—(Class A Misdemeanor, Class 4 Felony, Class 3 Felony, Class 2 Felony, Class 1 Felony or Class X Felony)

- **Knowingly:**

- **(1)Obtains**
- **or**
- **exerts**
- **unauthorized control**
- **over property of the owner**

OR

- **(2)Obtains by deception**
- **control**
- **over property of the owner**

OR

- **(3)Obtains by threat**
- **control**
- **over property of the owner**

OR

- **(4)Obtains**
- **control**
- **over stolen property**
- **knowing:**
 - **the property to be stolen**
 - **or**
 - **under such circumstances as would reasonably induce him to believe that the property was stolen**

OR

- **(5)Obtains**
- **or**

- **exerts control**
- **over property in the custody of any law enforcement agency**
 - **which any law enforcement officer**
 - **or individual acting in behalf of a law enforcement agency**
 - **explicitly represents to the person as being stolen**
 - **or**
 - **represents to the person such circumstances as would reasonably induce the person to believe that the property was stolen**

AND

- **(A)Intends to deprive the owner permanently of the**
 - **use**
 - **or**
 - **benefit of the property**
- OR
- **(B)Knowingly**
 - **uses**
 - **conceals**
 - **or**
 - **abandons**
- **the property**
- **in such manner**
- **as to deprive the owner**
- **permanently of such use or benefit**
- OR
- **(C)Uses**
 - **or**
 - **conceals**
 - **or**
 - **abandons**
- **the property**
- **knowing such use, concealment or abandonment**
- **probably will deprive the owner**
- **permanently of such use or benefit**

Value as an element of the offense-resolution of dispute: “When a charge of theft of property exceeding a specified value is brought, the value of the property involved is an element of the offense to be resolved by the *trier of fact* as either exceeding or not exceeding the specified value.” 720 ILCS 5/16-1c

Class of offense:

Class A Misdemeanor

- NOT a theft from person
- NOT exceeding \$500 in value

Class 4 Felony

- From school or place of worship or government property, not from

person, not exceeding \$500 value

Class 3 Felony

- From person but NOT exceeding \$500 value;
- Property valued \$500 to \$10,000

Class 2 Felony

- If committed in school, place of worship or of governmental property:
- From person but NOT exceeding \$500;
- Property valued \$500 to \$10,000
or
- Property valued over \$10,000 but not exceeding \$100,000

Class 1 Felony

- If committed in school, place of worship or of governmental property and:
 - From person but NOT exceeding \$500;
 - Property valued \$500 to \$10,000or
- Property valued over \$100,000 but not exceeding \$500,000

Class 1 Non-Probationable Felony

- Property valued more than \$500,000 but less than \$1,000,000

Class X Felony

- If committed in school, place of worship or of governmental property
- and Property valued over \$100,000
- Property valued more than \$1,000,000

Penalties for THEFT BY DECEPTION are not included here

PROPER PROCEDURES TO CONDUCT INVESTIGATION FOR THEFT

STATE REQUIRED INFORMATION:

1. Ascertain the _____ (method of operation)

- _____ was stolen
- _____ stolen from
- Any characteristics of the theft indicating an _____ " _____"?

2. Ascertain the _____ of the property

- Obtain all of the information regarding the _____
- Type

- Make/model/ _____
 - _____ Number
 - Composition
 - Age
 - Where _____ / _____
3. Attempt to _____ the suspect
- Interview _____ (s)/ _____ (es)
 - Use _____
 - _____ stolen property

CHICAGO SPECIFIC INFORMATION:

- Use Crime Analysis Patterns
- Use information gathered at Beat Community Meetings

Per Special Order S04-21-01: Notify the Property Crimes Section of the appropriate Detective Area when a theft is:

- of \$10,000 or more;
- Cartage thefts (trucks or trailers);
- Confidence games;
- Recovery of altered, lost, or stolen credit / debit cards if an offender is in custody;
- Identity theft.

RETAIL THEFT (SHOPLIFTING)

REVIEW: ELEMENTS OF THE OFFENSE OF RETAIL THEFT

Retail Theft: 720 ILCS 5/A-3

- (a) Takes possession of
 - or
 - carries away
 - or
 - transfers

- or
 - causes to be carried away
 - or
 - causes to be transferred
- any merchandise
 - displayed
 - or
 - held
 - or
 - stored
 - or
 - offered for sale
- in a retail mercantile establishment
- with the intention of
 - retaining such merchandise
 - or
 - depriving the merchant permanently of the
 - possession
 - or
 - use
 - or
 - benefit
 - of such merchandise
- without paying the full retail value of such merchandise

OR

- (b) Alters
 - or
 - transfers
 - or
 - removes
- any
 - label
 - or
 - price tag
 - or
 - marking
 - or
 - indicia of value
 - or
 - any other markings which aid in determining the value affixed to any merchandise
 - displayed
 - held
 - stored

- or
 - **offered for sale**
 - **In a retail mercantile establishment**
- AND**
- **Attempts to purchase such merchandise**
 - **personally**
 - or
 - **in consort with another**
 - **At less than the full retail value**
 - **With the intention of depriving the merchant of the full retail value of such merchandise**

OR

- **(c)Transfers any merchandise**
 - **displayed**
 - or
 - **held**
 - or
 - **stored**
 - or
 - **offered for sale**
- **in a retail mercantile establishment**
- **from the container**
 - **in**
 - or
 - **on**
- **which such merchandise is displayed**
- **to any other container**
- **with the intention of depriving the merchant of the full retail value of such merchandise**

OR

- **(d)Under-rings**
 - **With the intention of depriving the merchant of the full retail value of the merchandise**

OR

- **(e)Removes a shopping cart**
 - **From the premises of a retail mercantile establishment**
 - **Without the consent of the merchant given at the time of such removal**
 - **With the intention of depriving the merchant permanently of the**
 - **Possession**

- Or
- **Use**
- Or
- **Benefit**
- **Of such cart**

OR

- **(f)Represents to a merchant that**
 - **he**
 - **or**
 - **another**
- **is the lawful owner of the property**
- **knowing that such representation is false**
- **and**
 - **conveys**
 - **or**
 - **attempts to convey**
- **that property**
- **to a merchant who is the owner of the property**
- **in exchange for**
 - **money**
 - **or**
 - **merchandise**
 - **or**
 - **credit**
 - **or**
 - **other property of the merchant**

OR

- **(g)Uses**
 - **or**
 - **Possesses**
- **Any theft detection shielding device**
 - **or**
- **Theft detection device remover**
- **With the intention of using such device to deprive the merchant permanently of the**
 - **Possession**
 - **or**
 - **use**
 - **or**
 - **benefit**
- **of any merchandise**
 - **displayed**
 - **or**
 - **held**

- or
- **stored**
- or
- **offered for sale**
- **in a retail mercantile establishment**
- **without paying the full retail value of such merchandise.**

OR

- **(h)Obtains**
 - or
- **Exerts unauthorized control**
- **over property of the owner**
- **AND**
- **thereby intends to deprive the owner permanently of the**
 - **use**
 - or
 - **benefit**
- **of the property**
- **when a lessee of the personal property of another fails to return it to the owner**
 - or
- **if the lessee fails to pay the full retail value of such property**
- **to the lessor**
- **in satisfaction of any contractual provision requiring such**
- **within 10 days after written demand from the owner for its return (Proper demand constitutes notice in writing given after the expiration of the leasing agreement by registered mail to the lessee at the address given by the lessee and shown on the leasing agreement.)**

Related statute: Theft by emergency exit, 720 ILCS 5/16A-3.5

- **Commits a retail theft**
- **Leaves the retail mercantile establishment**
- **By use of a designated emergency exit**
- **Misdemeanor**
 - **Full retail value less than \$300.00 (Class A)**
- **Felony**

- Value less than \$300.00 but prior conviction for theft, robbery, armed robbery, burglary, residential burglary, possession of burglary tools or home invasion—Class 4 felony
- Value less than \$300.00 **but prior conviction for theft by emergency exit and prior conviction for** robbery, armed robbery, burglary, residential burglary, possession of burglary tools or home invasion—Class 3 felony
- Value exceeds \$300.00 (in single transaction or continuing separate transactions) by same person from one or more mercantile establishments over one year period—Class 3 felony
- Value exceeds \$300.00 in **Theft by emergency exit** (in single transaction or continuing separate transactions) by same person from one or more mercantile establishments over one year period—Class 2 felony

PROPER PROCEDURES TO CONDUCT INVESTIGATION FOR RETAIL THEFT

- Offender can be legally detained by a merchant if the conditions of 720ILCS5/16A-5 are met.
- Interview complainant/_____
 - How committed?
 - Price _____?
 - Under observation whole time?
 - Any attempt to _____ for item?
- _____ of item = ticketed price
- Physical evidence
 - Surveillance tapes, recovered property, price tags, _____ devices
 - Collect and inventory or return per policy
- Report accurately and _____

END OF HOUR ONE, CRIMES AGAINST PROPERTY

HOUR TWO

STUDENT PERFORMANCE OBJECTIVES:

By the end of this course the learner will be able to identify proper procedures to conduct investigation for:

- Check law violation (C024)
- Credit Card Theft or Misuse (CO37)
- Arson (CS601)
- Malicious Destruction of Property (Criminal Damage to Property). (CS601)
- This hour concentrates on financial crimes involving checks, documents and credit cards.
- Greed and the profit motive are factors which play an important role in financial crimes, including: deceptive practices, credit card fraud and thefts involving deception, embezzlement, and fraud.
- In certain instances, primarily "con games", the victim is a willing participant in the offender's scheme. Such confidence games, where the victim does not execute any type of document, are theft by deception.

DECEPTIVE PRACTICES (CHECK LAW)

REVIEW: ELEMENTS OF DECEPTIVE PRACTICES (CHECK LAW)

Deceptive practices: 720 ILCS 5/17-1(A)

(Variously a Class A Misdemeanor to Class 4 Felony)

General Deception

- **(1) Knowingly causes another**
 - **by deception**
 - **or**
 - **by threat**
- **to execute**
 - **a document disposing of property**
 - **or**
 - **a document by which a pecuniary obligation is incurred**

OR

- **(2) Being an officer, manager or other person participating in the direction of a financial institution**

- knowingly
 - receives
 - or
 - permits the receipt of
 - a deposit
 - or
 - other investment
- knowing that the institution is insolvent

OR

- (3) Knowingly makes a
 - false
 - or
 - deceptive
- statement addressed to the public
 - for the purpose of promoting the sale
 - of property
 - or
 - services

Deceptive practices: 720 ILCS 5/17-1(B)
Bad Checks

- (1) With intent
 - to obtain control over property
 - or
 - to pay for
 - property,
 - labor,
 - services of another,
 - or satisfaction of an obligation for the payment of a tax under the Retailer's Occupation Tax Act
 - or
 - any other tax due to the State of Illinois
- he or she issues
 - or
- delivers
- a check
- or
- other order upon a real or fictitious depository
- for the payment of money
- knowing that it will not be paid by the depository

OR

- (2) He or she
- **issues**
- or
- **delivers**
 - a check
 - or
 - other order
- upon a
 - real
 - or
 - fictitious
- **depository**
- in an amount **exceeding \$150.00**
- in payment of an amount owed on any credit transaction for
 - property
 - or
 - labor
 - or
 - services

OR

- in payment of the entire amount owed on any credit transaction for
 - property
 - or
 - labor
 - or
 - services
- knowing that it will not be paid by the depository

AND

- thereafter fails to provide funds or credit with the depository
- in the face amount of the check or order
- within seven days of receiving actual notice from
 - the depository
 - or
 - payee
- of the dishonor of the check or order

Deceptive practices: 720 ILCS 5/17-1(C)

Bank-related fraud

(1) False statement

- With intent to defraud
- **Makes**
 - or

- **causes to be made**
- **any false statement in writing**
- **in order to**
 - **obtain an account with a bank**
 - **or**
 - **other financial institution**
- OR**
- **obtain credit from a bank**
- **or**
- **other financial institution**
- OR**
- **obtain services from a currency exchange**
- **knowing such writing to be false**
- **and**
- **with the intent that it be relied upon**

(2) Possession of stolen or fraudulently obtained checks

- **Possesses**
- **with the intent to obtain access to funds**
- **of another person**
 - **held in a real**
 - **or**
 - **fictitious**
- **deposit account at a financial institutions**
- **makes a false statement**
- **or**
- **misrepresentation to the financial institution**

OR

- **possesses**
- **transfers**
- **negotiates**
- **or**
- **presents for payment**
 - **a check**
 - **draft**
 - **or**
 - **other item**
- **purported to direct the financial institution to**
 - **withdraw**
 - **or**
 - **pay**
 - **funds out of the account holder's deposit account**

- with knowledge that such possession, transfer, negotiation or presentment
- is not authorized by the account holder
- or
- the issuing financial institution.

(3) Possession of implements of check fraud

- Possesses
 - with the intent to defraud
 - and
 - without the authority of the account holder
 - Or
 - Financial institution
- A check imprinter
- or
- signature imprinter
- or
- "certified" stamp

FORGERY

REVIEW: ELEMENTS OF FORGERY

Forgery 720 ILCS 17-3, Class 3 felony.

- With intent to defraud
- knowingly
 - makes
 - or
 - alters
- any document
- apparently capable of defrauding another
- in such manner that:
 - it purports to have been made by another
 - or
 - at another time
 - or
 - with different provisions
 - or
 - by authority of one who did not give such authority

OR

- Issues

- or
- **delivers**
- **such document**
- **knowing it to have been thus**
- **made**
- or
- **altered**

OR

- **Possesses**
- **with intent to**
 - **issue**
 - or
 - **deliver**
- **any such document**
- **knowing it to have been thus**
 - **made**
 - or
 - **altered**

OR

- **unlawfully**
- **uses the digital signature** (as defined in the Financial Institutions Electronic and Digital Signature Act)
- **of another**

OR

- **unlawfully**
- **uses the signature device** (as defined in the Electronic Commerce Security Act)
- **of another**
- **to create**
- **an electronic signature**
- **of that person**

"A document apparently capable of defrauding another includes, but is not limited to, one by which any right, obligation or power with reference to any person or property may be created, transferred, altered or terminated. A document includes any record or electronic records as those terms are defined in the Electronic Commerce Security Act....For purposes of this section, a document also includes a Universal Price Code Label or coin.

BASIC PROCEDURES FOR INVESTIGATION OF DECEPTIVE PRACTICES AND FORGERY

STATE REQUIRED INFORMATION:

- Make sure of _____ in handling offenses involving checks/documents and other financial instruments
- Determine the _____
- Attempt to _____ the suspect:
- _____ victim(s)/witness(es)
- Use _____
- Protect and collect physical evidence
- retain and protect _____ check/document
- arrange to lift _____ from check/document
- arrange for handwriting comparison (_____) if an arrest is made
- _____ information through the bank/institution
- _____
- Account histories
- **CHICAGO SPECIFIC INFORMATION:**

- Inventory checks and other evidence if appropriate
- Follow the Incident Reporting Guide to determine which report is to be used
- The Worthless Document Case Report is used for:
 - Bogus Checks
 - Counterfeiting
 - Forgery
- The General Offense Case Report is used for all other deception related

incidents

- According to General Order 89-3 *Preliminary Investigations*, Addendum 1B, Item III-A-1:
- **IF:**
 - It is a property crime with a felony arrest
 - or
 - It is a newsworthy occurrence requiring immediate attention
 - or
 - It is a case involving worthless documents
 - or
 - The offense involves a confidence game
- **THEN:**
 - The preliminary investigator must contact the Area Detective Division
 - and
 - The preliminary investigator will record in the case report the name of the Detective Division member notified
 - or
 - that the notification was made via OEMC

CREDIT CARD THEFT OR MISUSE

***Illinois Credit Card and Debit Card Act, 720 ILCS 250/ Repealed by P.A. 96-1551
Effective July 1, 2011***

PROPER PROCEDURES TO CONDUCT INVESTIGATION OF CREDIT CARD THEFT/MISUSE

STATE REQUIRED INFORMATION:

1. Ascertain the _____ of _____
2. Attempt to identify suspect by:
 - Interviewing victim(s)/witness(es)
 - Using informants
 - Identify _____ through information from credit card company
 - speak to _____ of the company to obtain history of card use since offense occurred
3. When credit card or checks are stolen, advise the victim to _____ the card or checks immediately
4. When _____ notify the issuing company or banking institutions if possible.

CHICAGO SPECIFIC INFORMATION:

Per Special Order S07-04, when an altered, lost or stolen credit/debit card has been *recovered*, the recovering member will:

1. Complete the appropriate case report, including in the narrative section:
 - name of the issuing company
 - name of the credit/debit card holder
 - account number embossed on the card
 - how the card came to the attention of the department
 - when an arrest is made, charges and court information
2. Inventory the card
3. Notify the appropriate Detective Division Area Property Crimes office

Per Special Order S04-21-031, the U.S. Secret Service has jurisdiction over altered or counterfeit credit cards or bank access cards and devices and must be notified when appropriate.

When ICAM and crime pattern analysis suggests that offenders of fraudulent and deceptive practices are active in an area, the beat officer should:

- Request appropriate Detectives to attend the Beat Community Meeting and explain how confidence games are deployed.
- Distribute an ALERT flyer at the meeting
- Invite Detectives or Preventive Programs personnel explain how not to become a victim.

ARSON

REVIEW: ELEMENTS OF ARSON

Arson 720 ILCS 5/20-1, Class 2 felony.

- A person
- by means of **fire or explosive**
- knowingly damages any
 - real property
 - or
 - personal property
- having a **value of \$150 or more**
- of another without his consent

OR

- with intent to **defraud an insurer**
- **damages any**
- **property**
- or
- **personal property**
- having a **value of \$150 or more**

Property “of another” means a building or other property, whether real or personal, in which a person other than the offender has an interest which the offender has no authority to defeat or impair, even though the offender may also have an interest in the building or property. (720 ILCS 5/2-1)

Aggravated Arson, 720 ILCS 5/20-1.1, Class X felony

- A person
- **In the course of committing arson**
- **knowingly damages**
 - partially
 - or
 - totally
- **any**
 - **building**
 - or
 - **structure including an adjacent building or structure**

AND

- **knows**
- or
- reasonably should know
- **that one or more persons**
- **are present therein**

OR

- **any person suffers**
 - **great bodily harm**
 - or
 - **permanent disability**
 - or
 - **disfigurement**
- **as a result of the fire or explosion**

OR

- **a fireman**
- or
- **policeman**
- or
- **correctional officer**
 - **who is present at the scene**
 - **acting in the line of duty**
- **is injured**
 - **as a result of the fire or explosion**

Residential arson, 720 ILCS 5/20-1.2, Class 1 felony

- A person
- **in the course of committing an arson**
- **knowingly damages**
 - **partially**
 - or

- **totally**
- **any**
 - **building**
 - **or**
 - **structure**
- **that is the dwelling place of another**

Note: if the structure is an abandoned vehicle or cardboard box which serves as the dwelling place of a person(s), that vehicle or box meets the elements of Arson, Aggravated Arson or Residential Arson.

Place of Worship Arson, 720 ILCS 5/20-1 (b-5) Class 1 felony

- **A person**
- **in the course of committing arson**
- **knowingly damages**
 - **partially**
 - **or**
 - **totally**
- **any place of worship**

PROPER PROCEDURES TO CONDUCT INVESTIGATION OF ARSON

STATE REQUIRED INFORMATION:

- Interview the **owner** of the property
- Interview witnesses
- Consult with the **fire chief/fire marshal**
- Look for obvious **evidence** (gas can, chemical agents)
- Determine the **point of origin**
- Notify the **appropriate investigator**
 - Arson team
 - Fire marshal (Some municipalities employ a member of the fire department or fire marshal to investigate suspected arson)
- **Protect the scene/Control the crowd**

Chicago Specific Information:

According to Special Order S04-11, *Bomb, Arson and Fire Incidents*:

Members of the patrol division assigned to a fire incident will:

- Determine if the incident is bona fide, and if necessary, assist in the rescue of endangered persons.
- Provide assistance if a fire or explosion has occurred, which may include the establishment of fire lines, traffic and crowd control, Chicago Fire Department personnel safety measures, and the prevention of theft from Fire Department apparatus.
- Determine if the assigned police personnel / equipment is sufficient and, if not, request additional assistance as necessary
- Keep the dispatcher informed of conditions and request a supervisor, if required.
- Attempt to ascertain the cause and origin of the incident. If there is a suspicion that the incident is of a criminal nature, the member will request a supervising sergeant and the Bomb and Arson Section.

MALICIOUS DESTRUCTION OF PROPERTY

REVIEW: ELEMENTS OF CRIMINAL DAMAGE TO PROPERTY, 720 ILCS 5/21-1
(Class A Misdemeanor to Class 1 Felony)

- **Knowingly**
- **damages**
- **any property of another**

OR

- **Recklessly**
- **by means of**
 - **fire**
 - **or**
 - **explosive**
- **damages property**
- **of another**

OR

- **Knowingly**
- **starts a fire**
- **on the land of another**

OR

- **Knowingly**
- **injures**
- **a domestic animal**
- **of another**
- **without his consent**

OR

- **Knowingly**
- **deposits**
 - **on the land**
 - **or**
 - **in the building**
- **of another**
- **any**
 - **stink bomb**
 - **or**
 - **any offensive smelling compound**
- **and**
- **thereby intends**
- **to interfere**
- **with the use**
- **by another**
- **of the**
 - **land**
 - **or**
 - **building**

OR

- **Damages**
- **any property** (other than as described in subsection (b) of Section 20-1 [ILCS 5/20-1])
- **with intent to defraud an insurer**

OR

- **Knowingly**
- **shoots a firearm**
- **at any portion**
- **of a railroad train**

"When the charge of criminal damage to property exceeding a specified value is brought, the extent of the damage is an element of the offense to be resolved by the trier of fact as either exceeding or not exceeding the specified value.

It is an affirmative defense to a violation of item (a), (c), or (e) of this Section that the owner of the property or land damaged consented to such damage."

STATE REQUIRED INFORMATION:

1. Determine method of operation
2. Attempt to identify suspect by:
 - Interviewing victims/witnesses
 - Using informants
 - Physical evidence
 - Take **Photographs**
 - Determine **means of damage** (rock, bottle, paint, etc.)
 - **Inventory means** if recovered
 - Report accurately and completely

Chicago Specific Information:

According to Special Order S04-26-14, *Damage to Public Property*:

- The Municipal Code of Chicago Chapter 8-4-120: Damage to Public Property will be enforced for both accidental and criminal damage.
- Both circumstances require the department member to complete a *Cost Recovery Incident Form* which will be forwarded, along with any supporting documentation, to the station supervisor or designated unit supervisor.
- In damage to public property caused accidentally, the department member will complete the appropriate case/traffic crash report and take no enforcement action.
- In damage to public property caused criminally, including DUI traffic crashes, the department member will prepare the appropriate case/traffic crash report. If an offender is arrested, the department member will enforce the above cited

ordinance using a Class "C" Misdemeanor complaint consistent with existing procedures.

END OF HOUR TWO, CRIMES AGAINST PROPERTY

